



DEP FACT SHEET

Natural Resource Mitigation Fund

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See back page for nearest
DEP address & phone number

Mitigating adverse environmental impacts is an integral part of Maine's Natural Resources Protection Act (NRPA) (38 M.R.S.A. § 480 A – BB), a regulatory program administered by the Maine Department of Environmental Protection (DEP). Both State and federal agencies administering resource protection regulations may require appropriate and practicable compensatory mitigation as a condition of their permit approvals and authorizations.

If ecologically appropriate compensation is not available or otherwise practicable, a permit applicant may request to pay an in-lieu compensation fee of a value equivalent to the compensation value to be used for the purpose of restoring, enhancing, creating or preserving other resource functions or values that are environmentally equal or preferable to the functions and values of impacted resources and associated uplands, as determined by the DEP (38 M.R.S.A. § 480-Z). Upon authorization by the permitting agency the ILF will be paid directly to the DEP and will be placed in a "Natural Resource Mitigation Fund." The Natural Resource Mitigation Fund will be administered by The Nature Conservancy (TNC).

Natural resource mitigation project proposals may be submitted to: William Brune
The Nature Conservancy
14 Main Street, Suite 401
Brunswick, Maine 04011
Wbrune@tnc.org

for consideration by the Natural Resource Mitigation Fund Review and Approval Committees. All proposals to request funding from the "Natural Resource Mitigation Fund" submitted to TNC must be formatted in accordance with the attached guidance document entitled "Request for Funding from the Natural Resource Mitigation Fund."

Successful applicants will be required to enter into a Project Agreement with the DEP and TNC, to ensure that the project is implemented as agreed, and that the wetland is permanently managed and protected. (Sample agreement form attached)

For further information please contact your nearest DEP regional office, and ask to speak to the "on-call" person in the Land & Water Bureau, Division of Land Resource Regulation.

Central Maine Regional Office, 17 State House Station, Augusta, ME 04333-0017; Phone: 207-287-3901 (Bureau) or toll-free 1-800-452-1942 (Department).

Eastern Maine Regional Office, 106 Hogan Road, Bangor, ME 0440; Phone: 207-941-4570 or toll-free 1-888-769-1137.

Northern Maine Regional Office; 1235 Central Drive, Skyway Park; Presque Isle, ME 04769; Phone: 207-764-0477 or toll-free 1-888-769-1053.

Southern Maine Regional Office, 312 Canco Road, Portland, ME 04103; Phone: 207-822-6300 or toll-free 1-888-769-1036.

Note: Wetland Mitigation Funds do not generally qualify as non-federal match.

Request for Funding from the Natural Resource Mitgation Fund

Date Submitted to The Nature Conservancy: _____

1. PROJECT & PROPONENT INFORMATION CHECKLIST

A. Project Sponsor

Name
Project Manager
Address
Phone Numbers
Email

B. Project Specifics

Project Name
Landowner
Project Type (Wetland Preservation, Wetland Restoration, Other (explain below))
Township/County
Town Map & Lot Number
Wetland System
Biophysical Region
Beginning with Habitat Focus Area
(if applicable)

Total project acres (ac)

Wetland Restoration/enhancement (ac)
Wetland Preservation (ac)
Wetland Creation (ac)
Wetland Buffer up to 100' (ac)
Upland exceeding 100 from wetland (ac)
Shoreline/Riparian area (feet)

C. General Project Information

Provide any additional general information deemed necessary including other party involvement, other sources of funding, and any in-kind contributions.

D. Current Site Conditions

Provide a summary of the current site conditions. Include stream / wetland / buffer conditions including the deficiencies to be restored, general property use, site constraints / problems, etc. Refer to

attached maps and photographs depicting the current conditions. Confirm any previous wetland impacts in this system. Add wetland classification information from Maine Geological Information System (MEGIS). Information regarding MEGIS is available here:
<http://megisims.state.me.us/metadata/nwi.htm>

E. Compensation Potential

Describe the proposed project in detail as relates to compensation. If the scope of work includes restoration/enhancement, include the compensation measures to be employed. If preservation, state the reasons why the system should be preserved. Accurate field delineated/verified information is preferable. Note if acreage / linear feet are estimates from maps or field delineated/verified.

Be sure to include in the text the following information (as appropriate):

Wetland/Habitat Details

Total acreage (entire parcel/project area)

Existing wetland/habitat (acres; type; indicate if mapped NWI, estimated, or delineated)

Wetland/habitat buffer up to 100' (width and acreage)

Potential restoration

Preservation acreage

Adjacent upland

Upland management (agriculture, home site, timber, livestock, etc.)

F. Compensation Protection

Short-Term Monitoring

For restoration/enhancement projects, summarize the anticipated monitoring (preservation projects do not require short-term monitoring). Always include the following statement: "Please note that if the project is approved for funding, a detailed monitoring plan with success criteria will be submitted prior to receipt of funding."

Long-Term Monitoring

Provide information on who will own the site, general easement protection and exemptions, and who will hold/monitor the easement.

G Conservation Targets and Environmental Benefits and Threats

- a. Describe the level and type of threats to aquatic resources, including buffers.
- b. Describe the general environmental benefits resulting from the restoration measures (e.g., reduce sedimentation, buffer functions, wetland functions, in-stream habitat improvement, etc.)
- c. Discuss the adjacency / proximity to other protected properties and how this project will enhance overall conservation (e.g., refuges, management areas, preservation, parks, conservation organization properties, mitigation banks or private sites, other protected restoration sites).
- d. Describe the proximity / benefits to rare/endangered natural resources (e.g., Maine Natural Area Program (MNAP) element occurrences, Beginning with Habitat Focus Area, habitat for State or federally listed species).
- e. Describe improvements to impaired systems or added protection to large aquatic resource system.

H. Schedule

Summarize any deadlines regarding acquisition or constraints on when the restoration can be initiated. Outline the basic steps of the required project activities with identified milestones. Include the earliest date in which the project could be initiated and the anticipated project time length.

I. Project Maps and Photographs

Attach photographs depicting the current site conditions, including any deficiencies requiring restoration. Attach a map and aerial photographs of the project site at an appropriate scale (e.g. USGS 7.5 Minute Quadrangle) that show the proposed project's boundaries. Attach a map depicting the different resource types including wetlands (creation, enhancement/restoration, preservation), streams (creation, enhancement, preservation), buffer (riparian and wetland with transects depicting width of buffer), open water areas, and uplands. Provide locational latitude/longitude or GIS coordinates.

2. **PROPOSED OR ESTIMATED COSTS:**

The project Sponsor is requesting the allocation of \$_____ from the Wetland Mitigation Fund for this project. This equates to \$_____ per acre of restored wetland and \$_____ per acre of wetland acquired. Clarify what other funding and in-kind contributions the project sponsor is providing.

Acquisition and Associated Costs

Acquisition:

Legal/Closing:

Appraisal:

Phase I EHA:

Boundary Survey:

Title Insurance:

Taxes:

Acquisition and Associated Costs Subtotal:

Restoration Costs:

Project Management:

Delineation (indicate GPS or full survey):

Permits (USACE, DEP, and Town):

Topographical Survey:

Assessment and Design:

Stake-Out Survey:

Construction Oversight and Monitoring:

Construction (includes as-built survey):

Other Activities (list):

Success Monitoring and Reporting:

Restoration Costs Subtotal:

Corrective Action and Reporting (reserved)

Corrective Action (20% Construction Cost):

Corrective Action and Reporting Subtotal:

Long-Term Monitoring and Management

Stewardship Start-Up:

Stewardship Endowment:

Long-Term Monitoring and Management Subtotal:

3. **MONITORING REPORTS:** Monitoring reports should be submitted electronically on the approved schedule to The Nature Conservancy, which will compile and forward them on to the Department of Environmental Protection and Army Corps of Engineers.
4. **PERFORMANCE BOND:** The “Wetland Mitigation Fund” review and/or approval committees may require that the project sponsor retain a performance bond for an approved project.